



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUL 23 2012

**CERTIFIED MAIL-RETURN RECEIPT**

**Article Number: 7005 3110 0000 5954 5447**

Honorable George J. Doll  
Village of Northport  
224 Main Street  
Northport, New York 11768

Re: Village of Northport  
SPDES Permit No. NYR20A303  
CWA-02-2012-3012

Dear Mayor Doll:

Enclosed is the executed Administrative Consent Order (ACO) as negotiated and signed by EPA and the Village of Northport.

The terms of this Order became effective on the date of signature by the Director, and are binding 30 days from the effective date. Failure to comply with this Order may subject the Village of Northport to penalties of up to \$37,500 per day for each violation under Section 309 of the Act, 33 U.S.C. §1319 and 40 C.F.R. §19.4.

Thank you for your cooperation in this matter and for your efforts to date. Should you have any questions, please contact Mr. Douglas McKenna at (212) 637-4244, or have your staff contact Mr. Jerry Ciotola at (212) 637-4223.

Sincerely,

A handwritten signature in black ink, appearing to read "D. LaPosta", written over a horizontal line.

Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance

Enclosure

cc: Joe DiMura, NYSDEC  
William Spitz, NYSDEC Region 1

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

**IN THE MATTER OF:**

Village of Northport  
224 Main Street  
Northport, New York 11768

SPDES Permit No. NYR20A303

**Respondent**

Administrative Order on Consent pursuant to  
Sections 309(a) of the Clean Water Act, 33  
U.S.C. § 1319

**ADMINISTRATIVE ORDER**

**CWA-02-2012-3012**

**ACKNOWLEDGMENT OF RECEIPT OF  
ADMINISTRATIVE ORDER ON CONSENT**

I, \_\_\_\_\_, an official of Village of Northport

with the title of, \_\_\_\_\_, do hereby acknowledge the receipt of copy of the  
ADMINISTRATIVE ORDER ON CONSENT, Village of Northport, CWA-02-2012-3012.

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

**IN THE MATTER OF:**

Village of Northport  
224 Main Street  
Northport, New York 11768

**SPDES Permit No. NYR20A303**

**Respondent**

Administrative Order on Consent  
Compliance pursuant to Sections 309(a) of the  
Clean Water Act, 33 U.S.C. § 1319

**ADMINISTRATIVE ORDER ON CONSENT**

**CWA-02-2012-3012**

**STATUTORY AUTHORITY**

This Administrative Order on Consent ("AOC") is entered into voluntarily by the United States Environmental Protection Agency, ("EPA") Region 2, and the Village of Northport ("Permittee") (collectively the "Parties") under the Clean Water Act ("CWA"), 33 U.S.C. § 1251, *et seq.* Permittee owns and operates the Village of Northport and its storm sewer system in Suffolk County, New York. This AOC requires Permittee to undertake specified measures to remedy deficiencies in its storm sewer discharge management and control programs in order to come into full compliance with its National Pollutant Discharge Elimination System permit issued by the State of New York pursuant to the CWA.

1. Section 301(a) of the CWA, 33 U.S.C. § 1311 (a), makes it unlawful for any person to discharge any pollutant from a point source to waters of the United States, except, *inter alia*, with the authorization of, and in compliance with, a National Pollutant Discharge Elimination System ("NPDES") permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.
2. Section 402 of the CWA, 33 U.S.C. § 1342, authorizes the Administrator of EPA to issue a NPDES permit for the discharge of any pollutant, or combination of pollutants subject to certain requirements of the CWA and conditions which the Administrator determines are necessary. The New York State Department of Environmental Conservation ("NYSDEC") is the agency with the authority to administer the federal NPDES program in New York pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. EPA maintains concurrent enforcement authority with authorized states for violations of the CWA. Additionally, under the authority granted to the NYSDEC by the EPA under Section 402(b) of the CWA, 33 U.S.C. § 1342(b), a State Pollutant Discharge Elimination System ("SPDES") permit is required to be issued to facilities by the NYSDEC for the discharge of pollutants from said facilities from a point source to a navigable water of the United States.

3. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), sets forth requirements for the issuance of NPDES permits for the discharge of storm water. Section 402(p) (2)(D) of the CWA, 33 U.S.C. § 1342(p) (2) (D), requires an NPDES permit to be issued for the discharge of storm water from a Municipal Separate Storm Sewer ("MS4") serving populations of 100,000 or more but less than 250,000.
4. Section 402(p)(3)(B) of the CWA, 33 U.S.C. § 1342(p)(3)(B), requires that NPDES permits for discharges from a MS4 shall include a requirement to effectively prohibit non-storm water discharges into the storm sewers and shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.
5. Pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p), EPA promulgated regulations at 40 C.F.R. § 122.26 setting forth the NPDES permit requirements for storm water discharges, including the following:
  - 40 C.F.R. § 122.26(b)(16)(ii) defines "small municipal separate storm sewer system," in part, as not defined as "large" or "medium" municipal separate storm sewer systems;
  - 40 C.F.R. § 122.26(b)(7)(i) defines "medium municipal separate storm sewer system," in part, as being located in an incorporated place with a population of 100,000 or more but less than 250,000;
  - 40 C.F.R. §§ 122.26(a)(1)(iv) and 122.26(d) require the operator of a discharge from a medium MS4 to apply for a jurisdiction-wide or system-wide permit;
  - 40 C.F.R. § 122.26(b)(3) defines "incorporated place," in part, as a city, town, township, or village that is incorporated under the laws of the State in which it is located.
6. 40 C.F.R. § 122.26(b)(8), defines an MS4 as a "conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) owned or operated by a Town, borough, county, parish, district, association, or other public body (created by State law)...that discharges into waters of the United States; (ii) designed or used for collecting or conveying stormwater; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works..."
7. NYSDEC issued SPDES General Permit for Storm Water Discharges from MS4s (GP-0-10-002) ("Permit") on April 29, 2010. The Permit became effective on May 1, 2010 and expires on April 30, 2015. The Permit supersedes the previous SPDES permit (GP-0-08-002), which became effective on May 1, 2008 and expired on April 30, 2010, and SPDES permit (GP-02-02), which became effective on January 8, 2003 and expired on January 8, 2008. SPDES permit (GP-02-02) was administratively extended until April 15, 2008, when SPDES permit (GP-0-08-002) was issued.

8. Part VII.A.3.f. of the Permit requires the MS4 to prohibit through law, ordinance, or other regulatory mechanism, illicit discharges into the small MS4 and implement appropriate enforcement procedures and actions.
9. Part VII.A.3.g. of the Permit requires the MS4 to develop and implement a program to detect and address non-stormwater discharges, including illegal dumping, to the small MS4 in accordance with current assistance and guidance documents from the State and EPA.
10. EPA issues this AOC under the authority vested in its Administrator by Section 309(a) of the CWA, 33 U.S.C. § 1319(a). This Authority has been delegated by the Administrator of the United States Environmental Protection Agency ("EPA") to the Regional Administrator, EPA Region 2 and further delegated to the Director of the Division of Enforcement and Compliance Assistance, Region 2, EPA.
11. Permittee agrees not to contest EPA's jurisdiction or authority to enter into or enforce this AOC. Permittee further agrees not to contest the validity of any term or condition of this AOC in any action to enforce or arising from the AOC.
12. EPA's decision or actions in entering into or pursuant to this AOC are not subject to judicial review prior to any initiation of judicial action by the United States to compel compliance with the AOC.
13. EPA and permittee are entering into this Administrative Order on Consent to place the Permittee on an enforceable schedule to achieve compliance with the requirements of the NYSDEC SPDES General permit for Stormwater Discharges from MS4s.
14. The undersigned signatory for Permittee certifies that the signatory has the authority to execute this AOC and legally bind Permittee.

#### **FINDINGS**

1. The Village of Northport is a municipal corporation chartered under the laws of the State of New York, and as such, the Permittee is a "person," as that term is defined in Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2, and is an "incorporated place" as that term is defined in 40 C.F.R. § 122.26(b)(3).
2. Permittee owns/operates the MS4, located in the incorporated Village of Northport, Suffolk County, New York and is an owner or operator within the meaning of 40 C.F.R. § 122.2.
3. The MS4 in the Village of Northport is a small MS4 located in a urbanized area within the meaning of 40 C.F.R. § 122.26(b)(16)(ii) and 40 C.F.R. § 122.32(a)(1). NYSDEC included the Village of Northport as a regulated MS4 through designation criteria developed by the NPDES permitting authority (NYSDEC).
4. At all times relevant to this Order, the MS4 was a "point source" of a "discharge" of "pollutants," as defined by Section 502 of the CWA, 33 U.S.C. § 1362. The MS4 discharges storm water to receiving waters of all areas, except agricultural lands, within the corporate boundaries of the Village of Northport, served by an MS4 owned or operated by Permittee. The Long Island Sound

and Northport Harbor receiving waters are considered "waters of the United States" within the meaning of Section 502 of the CWA, 33 U.S.C. § 1362, and 40 C.F.R. § 122.2.

5. Permittee submitted a Notice of Intent ("NOI") and a Storm Water Management Program (SWMP) to NYSDEC on March 4, 2003, seeking coverage under the SPDES permit (GP-02-02). Permit coverage was obtained on March 25, 2003 (NYR20A303). Permit coverage was maintained under subsequent permits GP-0-08-002 and GP-0-10-002. SPDES General Permit (GP-0-10-002) ("Permit") effective on May 1, 2010 was the effective permit at the time of the inspection.
6. SPDES General Permit (GP-0-10-002) was the effective permit at the time of the inspection.
7. The Village of Northport MS4 discharges storm water into one or more receiving waters that appear on the 303(d) list or for which a Total Maximum Daily Load ("TMDL") has been established. Northport Harbor has been designated as an impaired water body with nitrogen (Waste Load Allocation for Long Island Sound Study Management Zones) and pathogens the primary pollutants of concern. Therefore, Northport is required to meet additional improvement and minimum control measures pursuant to Part IX C. Pathogen Impaired Watershed MS4 for New York State's General Permit for Stormwater Discharges from MS4s (GP-0-08-002).
8. The New York State Department of Environmental Conservation required that Permittees fully implement a Storm Water Management Program ("SWMP") by January 8, 2008. Permittees under GP-02-02 were required to develop, implement and enforce a program to detect and eliminate illicit discharges under Illicit Discharge Detection and Elimination (Part IV.3 of the permit).
9. On June 20, 28 and 29, 2011, EPA accompanied by NYSDEC, conducted MS4 compliance inspections of the Village of Northport, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318 (hereafter the "MS4 inspection"). As a result of observations during this inspection, EPA identified dry weather discharges that could contain an illicit discharge from the MS4, thus determining that a follow-up sampling inspection should be performed by the EPA Monitoring and Assessment Branch. It should be noted that three outfalls sampled by EPA were later identified to be under the jurisdiction of the State of New York, Department of Transportation. The Village is coordinating with the Regional DOT Region 10 representative to detect, and eliminate any potential illicit discharges to the Harbor.
10. EPA issued Administrative Order CWA-02-2011-3046 to the Village of Northport for its failure to provide adequate resources to fully develop and implement the SWMP no later than January 8, 2008 and to make steady progress toward full implementation, in violation of Part IV of the Permit. The AO also cited the Permittee for failure to provide a detailed Illicit Discharge Detection and Elimination (IDDE) plan pursuant to Part VII.A.3. A formal written plan or protocol for eliminating identified illicit discharges and connections was not available at the time of the inspection. Permittee failed to develop and implement a program to detect and address non-stormwater discharges that includes procedures for identifying priority areas of concern under the IDDE program; procedures for identifying and locating illicit discharges; procedures for eliminating illicit discharges; and procedures for documenting actions, in violation of Part VII.A.3.g of the Permit.
11. The Village of Northport responded to and addressed Part D. 3 of the Ordered Provisions under AO CWA-02-2011-3046 by developing a Stormwater Management Program, an Illicit Discharge

Detection and Elimination Program (IDDE), and performing a Self Assessment of Municipal Operations in accordance with the completion schedule.

12. EPA's Monitoring and Assessment Branch conducted sampling inspections on December 6 and 7, 2011 at outfalls within the Village of Northport specifically sampling for fecal coliform and total coliform. The results of that sampling were used to determine whether storm sewer discharges were contributing to water quality impairments and to determine if coliform levels in the storm sewer discharges are substantially higher than water quality standards or ambient levels. Sampling verified that outfalls at the locations identified were discharging in excess of the NY Water Quality Standard. Both Northport Bay and Northport Harbor are classified as SA waters, the MPN value for total coliform for any series of representative samples shall not exceed 70 MPN/100 ml.
13. The result of EPA's sampling locations are listed below:

**December 6-7, 2011 Sampling**

<u>Location</u>	<u>Coliform (MPN/100ml)</u>	
	<u>Fecal</u>	<u>Total</u>
Main Street Park North-48" Pipe	22 MPN/100ml	1,700 MPN/100ml
House #99 outfall (Bayview Ave)	1,300 MPN/100ml	70,000 MPN/100ml
Stanton St. & Bayview Ave. (catch basin)	3,000 MPN/100ml	22,000 MPN/100ml
end of Main St. Park North-12"outfall	1,700 MPN/100ml	17,000 MPN/100ml

14. The samplings conducted by EPA on December 6 and 7, 2011 supported a finding that there is a potential for illicit discharges to storm sewers which discharge into Northport Harbor.
15. Based upon the field observations conducted by EPA in June 2011, and sampling inspections conducted in December 2011, EPA determined that the Village of Northport was in noncompliance with the MS4 permit by failing to fully implement a comprehensive illicit detection and elimination program required by NYSDEC, by January 8, 2008, as part of their SWMP.
16. On July 25, 2011 EPA issued the Village of Northport Administrative Order CWA-02-2011-3046, as well as a copy of EPA's June 20, 28, 29, 2011 MS4 Inspection Report. The Village acknowledged receipt of the Order and documents on August 4, 2011. The Village representative submitted all deliverables by the completion dates under the AO. The items constituted an approved Stormwater Management Program for the Village.
17. The Village of Northport's failure to comply fully with the requirements of the MS4 permit, are violations of Section 301 (a) of the CWA, 33 U.S.C. § 1301(a), and a permit issued under Section 402 of the CWA, 33 U.S.C. § 1342.
18. MS4 General Permit (GP-0-10-002) includes all small municipal separate storm sewer systems within the meaning of 40 C.F.R. § 122.26(b)(16).
19. The Village of Northport applied for and was issued SPDES General Permit NYR20A303 for the MS4 ("the MS4 permit") under Section 402(p) of the CWA, 33 U.S.C. § 1342(p) on June 3, 2003.

20. At all times relevant to this Order, the Village of Northport was authorized to discharge from all portions of the MS4, owned or operated by the Village, to waters of the United States, only in accordance with specific terms and conditions of the MS4 permit, and associated Storm Water Discharge Regulations set forth in 40 C.F.R. § 122.26.
21. The Village of Northport has failed to implement, enforce and effectively prohibit illicit discharges into the storm sewer system and implement appropriate enforcement procedures as required under Permit Number GP-02-02, GP-0-08-002, and GP-0-10-002, the current MS4 permit, specifically, Part VIIA.3 Illicit Discharge Detection and Elimination (IDDE)-SWMP Development/Implementation.
22. Among other requirements of Part VII.A.3., the Illicit Discharge Detection and Elimination (IDDE)-SWMP Development/Implementation, GP-0-10-002 imposes certain Storm Water Management Program requirements authorized under GP-02-02. The Village of Northport recently submitted an IDDE Plan on November 29, 2011, and January 30, 2012 to satisfy the requirements of CWA-02-2011-3046. Based on the above, the Village of Northport failed to implement paragraphs f. (prohibit illicit discharges into the MS4) and g. (develop and implement a program to detect and address non-stormwater discharges).
23. On the basis of the Findings cited in the Paragraphs 1-23 above, the Permittee is in violation of Sections 301 and 308 of the CWA, 33 U.S.C. §§ 1311 and 1318 and applicable implementing regulations.

#### **ORDERED PROVISIONS**

1. Based on the Findings of Fact and Findings of Violation set forth above, and pursuant to the authority of Sections 308(a) and 309(a) of the CWA, 33 U.S.C. §§ 1318(a) and 1319(a), Permittee is hereby ORDERED to take the actions described below.
2. Immediately upon receipt of the original copies of this Order, a responsible official of the Village of Northport shall complete and sign the acknowledgment of receipt of one of the originals of the Order and return said original to the Chief, Water Compliance Branch, Division of Enforcement and Compliance Assistance, in the enclosed envelope to the address listed below.
3. The Village of Northport shall prepare, implement and enforce a Stormwater Management Program pursuant to the requirements of Part IV of the NY State DEC SPDES General Permit for Stormwater Discharges from MS4 (GP-0-10-002). The Stormwater Management Program shall specifically address the identification of illicit connections to minimize discharges and sources of pathogens in the Village of Northport storm system.
4. The Village of Northport shall continue to conduct its track down program to identify and eliminate illicit connections and other potential sources of pathogens to the MS4.
5. The Village of Northport shall implement corrective work in accordance with the following schedule:



<u>Item</u>	<u>To be completed no later than</u>
Submit a final Plan of Study for approval by EPA and NYSDEC which will detect and identify illicit discharges within the storm sewer system tributary to the "locations" identified in the Findings section of this Administrative Order.	July 31, 2012
Submit a complete Engineering Plan for approval by EPA and NYSDEC for the elimination of illicit discharges identified by the Illicit Detection and Elimination Plan, including a schedule for the completion of the corrective measures necessary to eliminate illicit discharges within the storm sewer system tributary to the "locations" identified in the Findings section of this Administrative Order.	Within 90 days of approval by EPA and NYSDEC of the Plan of Study
Complete all work necessary to eliminate illicit sanitary connections tributary to the "locations" identified in the Findings Section of this Administrative Order.	In accordance with the schedule in the approved by EPA and NYSDEC Engineering Plan
Complete outfall sampling to verify elimination of illicit sanitary connections to storm sewer system.	Within 6 months of the completion of all corrective measures identified in the approved Engineering Plan
Submit quarterly progress reports to EPA and NYSDEC outlining all activities undertaken, results of verification sampling and costs associated with compliance with this Order.	Quarterly, starting September 30, 2012 and ending March 31, 2014 (status meeting to be held end of November 2012)
Submit final report to EPA and NYSDEC summarizing all activities taken to come into compliance.	April 30, 2014

6. Any documents to be submitted by the Village of Northport as part of this AOC shall be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 CFR §122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate,

and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

7. The Village of Northport shall continue to submit all reports required by the SPDES General Permit for Storm Water Discharges from MS4.

#### **SUBMISSIONS AND NOTIFICATIONS**

1. All submissions required by this AOC shall be signed by a duly authorized representative of Permittee. The authorization must be in writing and specify either an individual or a position having responsibility for the overall operation of the activities being reported or for Respondent's environmental matters.

2. The person signing Permittee's submissions shall make the following certification:

I certify under penalty of law that the information submitted is true and correct to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including, but not limited to, the possibility of fines and imprisonment for knowing violations under § 309 of the Clean Water Act, 18 U.S.C. § 1001, and other relevant federal statutes.

3. All information required to be submitted by this AOC shall be sent by certified mail or its equivalent to the following addresses:

Douglas McKenna, Chief  
Water Compliance Branch  
Division of Enforcement and Compliance Assistance  
United States Environmental Protection Agency, Region 2  
290 Broadway, 20th Floor  
New York, NY 10007-1866

Joseph DiMura, P.E.  
Director, Bureau of Water Compliance Programs  
Division of Water  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-3506

#### **DELAY OF PERFORMANCE/FORCE MAJEURE**

1. "Force Majeure," for purposes of this AOC, is any event entirely beyond the control of Permittee or any entity controlled by Permittee that delays or prevents performance of any obligation under this AOC, notwithstanding Permittee's best efforts to avoid the delay. The best efforts requirement includes using best efforts to anticipate any such event and to minimize the delay caused by any such event to the greatest extent practicable. Examples of events that are not force majeure events include, but are not limited to, increased costs or expenses of any work to be performed under this AOC, Permittee's financial or business difficulties, and normal inclement weather.

2. Unless otherwise specified, in any event may occur or has occurred that may delay the performance of any obligation under this AOC, whether or not caused by a force majeure, Permittee shall notify by telephone the EPA contact identified in Paragraph 3 of this AOC, or, in his absence, the Water Compliance Branch, EPA, Region 2, within two (2) business days of when Permittee knew or reasonably should have known that the event might cause a delay. Within fifteen (15) business days thereafter, Permittee shall provide in writing the reasons for the delay, the anticipated duration of the delay, the measures taken or to be taken to prevent or minimize the delay, and a timetable by which those measures will be implemented. Permittee shall exercise its best efforts to avoid or minimize any delay and any effects of a delay. Failure to comply with the notice requirement of this paragraph shall preclude Permittee from asserting any claim of force majeure.
3. If EPA agrees that an actual or anticipated delay is attributable to force majeure, the time for performance of the obligation shall be extended by written agreement of the parties. An extension of the time for performing an obligation directly affected by the force majeure event shall not, of itself, extend the time for performing a subsequent obligation.
4. Permittee shall have the burden of demonstrating, by a preponderance of the evidence, that the actual or anticipated delay has been or will be caused by a force majeure event, that the duration of the delay was or will be warranted under the circumstances, that Permittee did exercise or is using its best efforts to avoid and mitigate the effects of the delay, and that Permittee complied with the requirements of this section.

#### **FAILURE TO COMPLY WITH AOC**

1. EPA reserves all available legal and equitable remedies to enforce this AOC, and the right to seek recovery of any costs and attorney fees incurred by EPA in any actions against Permittee for non-compliance with this AOC.
2. Compliance with the terms of this Consent Order shall not relieve Permittee of liability for, or preclude EPA from, initiating an administrative or judicial enforcement action to recover penalties for any violations of the CWA, or to seek additional injunctive relief, pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. Issuance of an Administrative Order shall not be deemed an election by EPA to forego any civil or criminal actions which would seek penalties, fines, or other appropriate relief under the CWA.
3. Failure to comply with this AOC is a violation of the CWA. Such violation may subject Permittee to civil penalties not to exceed \$37,500 per day for each violation under CWA § 309(d), 33 U.S.C. § 1319(d), and 40 C.F.R. § 19.4.


#### **SCOPE OF THE AOC**

1. This AOC is not and shall not be construed to be a permit under the CWA, nor shall it in any way relieve or affect Permittee's obligations under the CWA, or any other applicable federal, state or local laws, regulations and permits. Compliance with this AOC shall be no defense to any actions commenced pursuant to such applicable laws, regulations or permits.

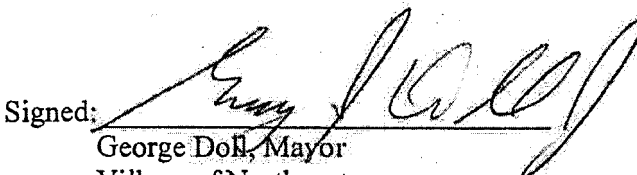
2. Neither the issuance of this AOC, nor Permittee's compliance with it, shall in any way affect the rights of EPA or the United States against any person not a party hereto.
3. This AOC shall in no way affect EPA's authority to enter, inspect, sample or monitor compliance under any law, permit, court order or agreement, and Permittee shall use its best efforts to arrange for access by EPA or its authorized representatives for determining compliance with this AOC. For purposes of this AOC, EPA's authorized representatives shall include all EPA employees and contractors, all DEC employees and contractors, and such other persons as EPA may designate.

This AOC shall become effective upon the date of execution by the Director, Division of Enforcement and Compliance Assistance.

Dated: 7/23/12

Signed:   
Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance

Dated: 6/28/12

Signed:   
George Doll, Mayor  
Village of Northport